

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6609
OFFERED BY MR. WALTZ OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Foreign Military Sales
3 Technical, Industrial, and Governmental Engagement for
4 Readiness Act” or the “TIGER Act”.

**5 SEC. 2. INCREASE IN DOLLAR AMOUNT THRESHOLDS
6 UNDER SECTIONS 3 AND 36 OF THE ARMS EX-
7 PORT CONTROL ACT RELATING TO PRO-
8 POSED TRANSFERS OR SALES OF DEFENSE
9 ARTICLES OR SERVICES UNDER THAT ACT.**

10 (a) IN GENERAL.—The Arms Export Control Act is
11 amended—

12 (1) in section 3(d) (22 U.S.C. 2753(d))—

13 (A) in paragraph (1)—

14 (i) by striking “\$14,000,000” and in-
15 serting “\$23,000,000”; and

16 (ii) by striking “\$50,000,0000” and
17 inserting “\$83,0000,000”; and

18 (B) in paragraph (3)(A)—

1 (i) by striking “\$14,000,000” and in-
2 serting “\$23,000,000”; and

3 (ii) by striking “\$50,000,0000” and
4 inserting “\$83,0000,000”;

5 (2) in section 36(b) (22 U.S.C. 2776(b))—

6 (A) in paragraph (1)—

7 (i) by striking “\$50,000,0000” and
8 inserting “\$83,0000,000”;

9 (ii) by striking “\$200,000,000” and
10 inserting “\$332,000,000”; and

11 (iii) by striking “\$14,000,000” and
12 inserting “\$23,000,000”; and

13 (B) in paragraph (5)(C)—

14 (i) by striking “\$14,000,000” and in-
15 serting “\$23,000,000”;

16 (ii) by striking “\$50,000,0000” and
17 inserting “\$83,0000,000”; and

18 (iii) by striking “\$200,000,000” and
19 inserting “\$332,000,000”; and

20 (C) in paragraph (6)—

21 (i) in subparagraph (A), by striking
22 “\$25,000,000” and inserting
23 “\$42,000,000”;

1 (ii) in subparagraph (B), by striking
2 “\$100,000,000” and inserting
3 “\$166,000,000”; and

4 (iii) in subparagraph (C), by striking
5 “\$300,000,000” and inserting
6 “\$500,000,000”; and

7 (3) in section 36(c) (22 U.S.C. 2776(c))—

8 (A) in paragraph (1)—

9 (i) by striking “\$14,000,000” and in-
10 sserting “\$23,000,000”; and

11 (ii) by striking “\$50,000,000” and
12 inserting “\$83,000,000”; and

13 (B) in paragraph (5)—

14 (i) in subparagraph (A), by striking
15 “\$25,000,000” and inserting
16 “\$42,000,000”;

17 (ii) in subparagraph (B), by striking
18 “\$100,000,000” and inserting
19 “\$166,000,000”.

20 (b) ENHANCED CONGRESSIONAL NOTIFICATION.—

21 (1) LIST.—Not later than January 1, 2025,
22 and January 1 of each succeeding calendar year, the
23 Secretary of State shall establish and update a list
24 for that calendar year that identifies—

25 (A) each country that—

1 (i) is not a member of the North At-
2 lantic Treaty Organization (NATO), or
3 Australia, Israel, Japan, New Zealand, or
4 the Republic of Korea; and

5 (ii) has purchased major defense
6 equipment as described in sections 3(d),
7 36(b), and 36(c) of the Arms Export Con-
8 trol Act (22 U.S.C. 2753(d), 2776(b), and
9 2776(c)), as amended by subsection (a), in
10 the preceding 3 calendar years, and the cu-
11 mulative value of such purchases exceeds
12 \$1,000,000,000; and

13 (B) each country that—

14 (i) is a member of NATO, or Aus-
15 tralia, Israel, Japan, New Zealand, or the
16 Republic of Korea; and

17 (ii) has purchased major defense
18 equipment as described in sections 3(d),
19 36(b), and 36(c) of such Act, as amended
20 by subsection (a), in the preceding 3 cal-
21 endar years, and the cumulative value of
22 such purchases exceeds \$5,000,000,000.

23 (2) ENHANCED CONGRESSIONAL NOTIFICA-
24 TION.—Notwithstanding the dollar amount thresh-
25 olds specified in sections 3(d), 36(b), and 36(c) of

1 the Arms Export Control Act (22 U.S.C. 2753(d),
2 2776(b), and 2776(c)), as amended by subsection
3 (a), each purchase of major defense equipment as
4 described in section 3(d), 36(b), and 36(c) of such
5 Act by a country on the list required by paragraph
6 (1) during the calendar year for which the list was
7 established shall be subject to the congressional noti-
8 fication requirements described in the applicable sec-
9 tion 3(d), 36(b), or 36(c) of such Act.

10 **SEC. 3. ANNUAL REPORT ON CERTAIN TRANSFERS AND**
11 **SALES.**

12 Section 36 of the Arms Export Control Act (22
13 U.S.C. 2776) is amended by adding at the end the fol-
14 lowing:

15 “(j) ANNUAL REPORT ON CERTAIN TRANSFERS AND
16 SALES.—

17 “(1) IN GENERAL.—In the case of a transfer or
18 sale of defense articles or services under this Act
19 that exceeds \$1,000,000,000, the Secretary of State
20 shall submit to Congress not later than 1 year after
21 the date on which notification of the transfer or sale
22 was provided to Congress, and annually thereafter,
23 a report (which may be submitted in classified
24 form)—

1 “(A) on the progress of the transfer or
2 sale; and

3 “(B) that contains a certification that the
4 anticipated delivery time of defense articles or
5 services under such proposed transfer or sale
6 meets United States foreign policy interests, or
7 if the Secretary is unable to make such certifi-
8 cation, the reasons therefor and the actions
9 being taken to remedy the deficiencies.

10 “(2) USE OF DRAWDOWN AUTHORITY AND SPE-
11 CIAL AUTHORITIES RELATING TO TAIWAN.—

12 “(A) IN GENERAL.—The Secretary of
13 State shall, in the case of a proposed transfer
14 or sale of defense articles or services under this
15 Act described in paragraph (1) that have not
16 been delivered to Taiwan by the date that is 3
17 years after the date on which notification of the
18 transfer or sale was provided to Congress, use
19 the authorities of section 506(a)(1) or
20 614(a)(1) of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2318(a)(1) or 2364(a)(1)) to
22 complete the transfer or sale.

23 “(B) WAIVER.—The Secretary of State
24 may waive the requirement of subparagraph (A)
25 to use the authorities described in such sub-

1 paragraph with respect to a transfer or sale of
2 defense articles or services for not more than
3 365 days if the Secretary includes in the report
4 required by paragraph (1) with respect to the
5 transfer or sale the reasons for the waiver and
6 certifies to Congress that such waiver is in the
7 national interest of the United States. Such a
8 waiver may be renewed for one or more addi-
9 tional 365-day periods if the Secretary submits
10 to Congress a certification that such a waiver
11 remains in the national interest of the United
12 States.”.

13 **SEC. 4. SPECIAL DEFENSE ACQUISITION FUND.**

14 Section 51 of the Arms Export Control Act (22
15 U.S.C. 2795), is amended—

16 (1) in subsection (a)(1), by striking the second
17 sentence; and

18 (2) by adding at the end the following:

19 “(d) TRANSFER OF AMOUNTS AUTHORIZED.—

20 “(1) IN GENERAL.—The Secretary of Defense
21 is authorized to transfer, from amounts authorized
22 to be appropriated by this and other Acts for the
23 Department of Defense, to the Secretary of State
24 amounts to be available to carry out the functions
25 of the Fund.

1 “(2) NOTICE REQUIREMENT.—The Secretary of
2 Defense shall notify the congressional defense com-
3 mittees (as such term is defined in section 101 of
4 title 10, United States Code) of a proposed transfer
5 of amounts under paragraph (1) not less than 15
6 days prior to making such transfer.

7 “(3) INAPPLICABILITY OF REPROGRAMMING RE-
8 QUIREMENT.—The authority to transfer amounts
9 under paragraph (1) shall not be subject to any re-
10 programming requirement under any other provision
11 of law.”.

